

Exhibit F

1 REAL TIME ROUGH DRAFT OF:

2 BRADLEY GARTH GREEN

3 JANUARY 4, 2018

4
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6
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BRADLEY GARTH GREEN ROUGH DRAFT

09:16:40AM 1 summer 2017.

09:16:41AM 2 Q. And at one point Mr. Mumford was barred by
09:16:43AM 3 the court for participation in this court.

09:16:46AM 4 Were you aware of that?

09:16:47AM 5 MR. OSTLER: Objection. Relevance.

09:16:48AM 6 THE WITNESS: I was not aware.

09:16:49AM 7 Q. (By Mr. Burton) And the court told
09:16:50AM 8 Mr. Mumford he couldn't practice in this case until
09:16:53AM 9 he paid that \$35,000 sanction.

09:16:55AM10 Were you aware of that?

09:16:56AM11 MR. OSTLER: Objection. Relevance.

09:16:58AM12 THE WITNESS: I had heard something to
09:16:59AM13 that nature.

09:17:00AM14 Q. (By Mr. Burton) Who did you hear that
09:17:01AM15 from?

09:17:03AM16 A. Who did I hear that from? Probably Garth.

09:17:08AM17 Q. What did Garth say?

09:17:11AM18 A. Basically exactly what you just said, that
09:17:14AM19 Marcus had to pay the \$35,000 before he could
09:17:19AM20 continue to represent us.

09:17:19AM21 Q. Were you aware that Mr. Mumford made
09:17:21AM22 representations to the court he didn't have the money
09:17:23AM23 to pay the \$35,000?

09:17:24AM24 MR. OSTLER: Objection. Relevance.

09:17:27AM25 THE WITNESS: I was not aware that he had

09:17:28AM 1 made those representations.

09:17:30AM 2 Q. (By Mr. Burton) And ! of the court saying
09:17:33AM 3 you can't participate until you pay -- Mr. Mumford
09:17:35AM 4 paid the fine.

09:17:36AM 5 Were you aware of that?

09:17:37AM 6 MR. OSTLER: Same objection. Relevance.

09:17:38AM 7 THE WITNESS: I had also heard that.

09:17:39AM 8 Q. (By Mr. Burton) Do you know if your dad
09:17:41AM 9 paid the fine for Mr. Mumford?

09:17:42AM10 MR. OSTLER: Same objection. Relevance.

09:17:44AM11 THE WITNESS: I don't know that. I
09:17:46AM12 believe he did.

09:17:48AM13 Q. (By Mr. Burton) Why do you believe he
09:17:49AM14 did?

09:17:54AM15 A. It's just an assumption that I made.

09:17:57AM16 Q. Based on what?

09:17:58AM17 A. It seems like it got paid and
09:18:03AM18 representations that I had received from friends of
09:18:06AM19 Mumford indicated that he really did not have that
09:18:09AM20 money to pay it, and it did get paid.

09:18:12AM21 Q. Has Mr. Mumford paid your dad back
09:18:15AM22 \$35,000?

09:18:16AM23 A. I don't know.

09:18:16AM24 MR. OSTLER: Objection. Relevance.

09:18:19AM25 Q. (By Mr. Burton) You tracked Mr. Mumford

09:24:20AM 1

MR. OSTLER: It's Docket 458.

09:24:24AM 2

THE COURT REPORTER: Excuse me. One at a time, please.

09:24:26AM 4

MR. BURTON: Don't accuse me of lying.

09:24:26AM 5

You go get the order -- this is my deposition -- if

09:24:26AM 6

you want to make an objection; otherwise, stay on the record.

09:24:31AM 7

09:24:31AM 8

MR. OSTLER: My objection is don't

09:24:32AM 9

threaten the client.

09:24:32AM 10

MR. BURTON: That's not an objection.

09:24:34AM 11

MR. OSTLER: And the objection is that I

09:24:35AM 12

have objected on the basis of privilege.

09:24:35AM 13

MR. BURTON: All right.

09:24:37AM 14

MR. OSTLER: To the extent he can answer

09:24:38AM 15

with privilege, that's fine. If he can't answer

09:24:41AM 16

because it's going to divulge attorney-client

09:24:43AM 17

privilege, then I'm instructing him not to answer.

09:24:45AM 18

MR. BURTON: Okay. I'm going to call the

09:24:49AM 19

court right now. Let's go off the record.

09:25:47AM 20

(Discussion held off the record.)

09:26:09AM 21

(Recess from 9:26 a.m. to 9:30 a.m.)

09:30:54AM 22

Q. (By Mr. Burton) All right, Mr. Green,

09:30:56AM 23

based on your general understanding, what is the

09:31:00AM 24

reason why Mr. Mumford withdrew in this case?

09:31:03AM 25

MR. OSTLER: Again, object on the basis of

09:31:05AM 1 attorney-client privilege. To the extent you can
09:31:07AM 2 answer without divulging any attorney-client
09:31:11AM 3 communications, go ahead.

09:31:12AM 4 MR. BURTON: Sorry. I'm going to note for
09:31:15AM 5 the record we've got a call to Judge Furse's office
09:31:18AM 6 to do an oral hearing to resolve this issue.

09:31:21AM 7 Q. (By Mr. Burton) Go ahead and answer.

09:31:22AM 8 A. Generally my understanding is that all
09:31:25AM 9 active federal judges on the Utah bench had recused
09:31:29AM 10 themselves on cases dealing with Mumford. I had
09:31:36AM 11 heard that there was a complaint filed. I don't know
09:31:41AM 12 if it was for the friendly benefit of only or in
09:31:44AM 13 general as an attorney. There was a complaint filed
09:31:46AM 14 that was working its way out as to whether or not
09:31:50AM 15 Marcus could practice, and generally I believe that
09:31:55AM 16 that's why Josh is here today instead of Marcus.

09:31:58AM 17 Q. Did your dad fire Marcus?

09:32:00AM 18 A. I don't know that, although a month ago I
09:32:03AM 19 heard him asking -- actually, he asked me if he
09:32:07AM 20 should fire Marcus.

09:32:08AM 21 Q. What did you tell him?

09:32:09AM 22 A. I told him that I did not think that was a
09:32:12AM 23 good idea.

09:32:13AM 24 Q. Do you know if your dad ultimately did let
09:32:15AM 25 Marcus go, or did Marcus go on his own?

09:32:18AM 1

A. I do not know that.

09:32:19AM 2

Q. Do you know if Marcus has an active bar license right now?

09:32:23AM 4

MR. OSTLER: Objection. Relevance.

09:32:24AM 5

THE WITNESS: I don't know that.

09:32:24AM 6

Q. (By Mr. Burton) Do you know if his right to practice has been suspended?

09:32:27AM 8

MR. OSTLER: Objection. Relevance.

09:32:29AM 9

THE WITNESS: I don't know that.

09:32:32AM 10

Q. (By Mr. Burton) When your dad asked you whether he should fire Marcus, what else did your dad say?

09:32:34AM 11

09:32:36AM 12

09:32:37AM 13

A. He said that he thought the case for some reason was becoming about Marcus and not about the breach of contract by the Harwards.

09:32:41AM 14

09:32:46AM 15

Q. What else did he say?

09:32:49AM 16

09:32:52AM 17

A. That was it.

09:32:53AM 18

Q. And what did you say in response?

09:32:56AM 19

A. I said that I thought that attorneys, good attorneys, get in the way and they sometimes are controversial and that I thought Marcus was worth the fight.

09:32:59AM 20

09:33:01AM 21

09:33:05AM 22

Q. Did you ever discuss Marcus's involvement with your brother Mike?

09:33:05AM 23

09:33:07AM 24

09:33:10AM 25

A. Which involvement would that be?

09:33:12AM 1 Q. Whether he would continue to be involved?

09:33:14AM 2 A. Oh, did I discuss whether Marcus would

09:33:23AM 3 continue to be involved with Mike? When?

09:33:27AM 4 Q. About the same time you discussed --

09:33:30AM 5 A. Not that I remember.

09:33:30AM 6 Q. -- with your dad?

09:33:31AM 7 A. No.

09:33:32AM 8 Q. Did your dad say anything else about

09:33:35AM 9 Marcus's involvement?

09:33:38AM10 A. At that time? No.

09:33:41AM11 Q. What else did he say about the case

09:33:44AM12 becoming about Marcus?

09:33:49AM13 A. He seemed to believe that Reese thought

09:33:54AM14 that he had some kind of benefit in going after

09:34:01AM15 Marcus instead of attacking the facts of our case and

09:34:05AM16 that he was weaponizing Marcus's enemies among judges

09:34:15AM17 and attorneys against us and our case.

09:34:19AM18 Q. How was he weaponizing Marcus's enemies?

09:34:22AM19 A. Ridiculous amounts of motions specifically

09:34:25AM20 related to Marcus and not the facts of our case.

09:34:29AM21 Q. Are you aware that Mr. Mumford repeatedly

09:34:31AM22 missed deadlines?

09:34:32AM23 A. I am.

09:34:33AM24 MR. OSTLER: Objection. Relevance.

09:34:34AM25 Q. (By Mr. Burton) Are you aware that

09:34:34AM 1
09:34:37AM 2
09:34:37AM 3
09:34:39AM 4
09:34:39AM 5
09:34:41AM 6
09:34:42AM 7
09:34:44AM 8
09:34:46AM 9
09:34:50AM 10
09:34:53AM 11
09:34:55AM 12
09:34:56AM 13
09:34:58AM 14
09:35:03AM 15
09:35:07AM 16
09:35:09AM 17
09:35:10AM 18
09:35:12AM 19
09:35:15AM 20
09:35:19AM 21
09:35:20AM 22
09:35:21AM 23
09:35:22AM 24
09:35:23AM 25

Mr. Mumford repeatedly asked for extensions of deadlines?

MR. OSTLER: Objection. Relevance.

THE WITNESS: Yes.

Q. (By Mr. Burton) Was that a source of frustration for your dad?

A. I believe so.

Q. Did your dad express frustration with having to pay for motions to extend deadlines, for example, because Marcus couldn't meet deadlines?

MR. OSTLER: Objection. Relevance.

THE WITNESS: I don't remember him specifically being frustrate it had with having to pay to extend motions so much as being frustrated with having to pay so much money in general.

Q. (By Mr. Burton) Was your dad frustrated that deadlines were missed?

A. Yes.

Q. In your discussions the last couple of days, did your dad express frustration with a deadline being missed on Tuesday?

MR. OSTLER: Objection. Relevance.

THE WITNESS: He did not express frustration.

Q. (By Mr. Burton) Were you aware there was

09:35:25AM 1 a motion that was due Tuesday that wasn't filed till
09:35:26AM 2 Wednesday?

09:35:26AM 3 A. I was told that he missed another deadline
09:35:29AM 4 this week.

09:35:29AM 5 Q. He or Mr. Ostler?

09:35:31AM 6 A. I don't know. I guess I thought it was
09:35:33AM 7 Marcus.

09:35:33AM 8 Q. Well, is it your understanding that
09:35:35AM 9 Mr. Mumford is still involved in this case?

09:35:37AM 10 A. No.

09:35:38AM 11 Q. So anything that would be done -- why
09:35:41AM 12 would you assume it would be done now by Marcus, or
09:35:44AM 13 Mr. Mumford?

09:35:45AM 14 A. I guess I don't know if that deadline that
09:35:47AM 15 Marcus missed was a deadline in our case or in a case
09:35:49AM 16 of his own. I don't know. I had heard that he had
09:35:52AM 17 missed another deadline this week.

09:35:54AM 18 Q. Were you aware that Mr. Ostler missed a
09:35:56AM 19 deadline on Tuesday?

09:35:56AM 20 MR. OSTLER: Objection. Relevance.

09:35:58AM 21 THE WITNESS: I was not aware of that.

09:36:00AM 22 Q. (By Mr. Burton) Are you aware that there
09:36:01AM 23 had been multiple motions filed on two separate
09:36:07AM 24 issues where Standard has been successful?

09:36:08AM 25 MR. OSTLER: Objection. Relevance,

09:38:59AM 1 remember the terminology, but my understanding or my
09:39:03AM 2 belief was that Adam Dunn was scared off by a motion
09:39:06AM 3 by Standard against both Marcus and Dunn claiming
09:39:11AM 4 that they were bringing a malicious suit.

09:39:16AM 5 Q. A motion that was ultimately granted,
09:39:18AM 6 correct?

09:39:23AM 7 A. I don't know that it was granted.

09:39:25AM 8 Q. And a motion for which Mr. Mumford had to
09:39:28AM 9 pay \$35,000, or it sounds like your dad paid \$35,000?

09:39:32AM10 A. I didn't know that that was the motion
09:39:33AM11 that required that. I thought that was separate.

09:39:34AM12 Q. I'll represent to you it was the same
09:39:39AM13 motion.

09:39:39AM14 A. Okay.

09:39:39AM15 Q. Was your opinion enlightened about
09:39:42AM16 Mr. Dunn's withdrawal by a discussion with your
09:39:43AM17 brother and your dad?

09:39:43AM18 A. Which brother?

09:39:44AM19 Q. Mike (indicating).

09:39:45AM20 A. No.

09:39:46AM21 Q. So is it still your opinion that Mr. Dunn
09:39:49AM22 chickened out, because you said it was your opinion,
09:39:52AM23 so is it still your opinion?

09:39:53AM24 A. It's still my opinion.

09:39:54AM25 Q. Do you have any additional opinion about

11:08:55AM 1 A. Uh-huh (yes).

11:08:56AM 2 Q. So at that point it was just Mr. Mumford
11:08:58AM 3 as counsel of record, and then at some point
11:09:02AM 4 necessary for Standard Ray Quinney that was involved.

11:09:05AM 5 How long has Mr. Ostler been working this
11:09:08AM 6 case; do you know?

11:09:11AM 7 A. I don't know.

11:09:12AM 8 MR. OSTLER: Objection. Vague, ambiguous.

11:09:15AM 9 THE WITNESS: In working this case, it was
11:09:20AM 10 my understanding that Josh was an associate I think
11:09:25AM 11 is the word of Marcus's for a number of years. I
11:09:28AM 12 don't know whether he was always on our case during
11:09:31AM 13 that time.

11:09:32AM 14 Q. (By Mr. Burton) Do you know why
11:09:33AM 15 Mr. Ostler left Mr. Mumford's firm?

11:09:34AM 16 MR. OSTLER: Objection. Relevance.

11:09:36AM 17 THE WITNESS: I do not know.

11:09:37AM 18 Q. (By Mr. Burton) Do you know if he was
11:09:38AM 19 fired or if he quit?

11:09:39AM 20 MR. OSTLER: Objection. Relevance.

11:09:41AM 21 THE WITNESS: I do not know.

11:09:42AM 22 Q. (By Mr. Burton) Do you know if
11:09:43AM 23 Mr. Mumford and Josh -- well, Mr. Ostler, sorry --
11:09:48AM 24 are on good terms today?

11:09:50AM 25 MR. OSTLER: Objection. Relevance,

11:46:54AM 1 around the same time that we filed our Rule 11
11:46:57AM 2 motion?

11:46:57AM 3 A. I believe it was.

11:46:59AM 4 Q. Are you aware that Mr. Mumford missed his
11:47:00AM 5 deadline to file his opposition to the Rule 11
11:47:01AM 6 motion?

11:47:01AM 7 MR. OSTLER: Objection. Misstates facts.
11:47:03AM 8 THE WITNESS: I did not know that.

11:47:05AM 9 Q. (By Mr. Burton) And filed it a couple
11:47:06AM 10 days late?

11:47:06AM 11 MR. OSTLER: Objection. Misstates facts.
11:47:08AM 12 THE WITNESS: That sounds like Marcus.

11:47:09AM 13 Q. (By Mr. Burton) And are you aware that
11:47:10AM 14 shortly before filing his opposition to our Rule 11
11:47:13AM 15 motion, Mr. Mumford sent a seven page letter to I
11:47:17AM 16 think 14 attorneys besides myself and Mr. Rupp, who
11:47:22AM 17 works with me on this case, at Kirton McConkie?

11:47:25AM 18 A. I had heard take.

11:47:26AM 19 Q. Do you know if your dad and your brother
11:47:28AM 20 were aware that that letter was being sent to our
11:47:31AM 21 firm -- to my firm?

11:47:32AM 22 A. When.

11:47:32AM 23 Q. In October 2014?

11:47:35AM 24 A. Previous to it being sent or after it?

11:47:37AM 25 Q. Previous. Great question.

12:39:26PM 1 A. Some. Some he does, some he doesn't.

12:39:31PM 2 Q. Has he ever played a copy of a court
12:39:32PM 3 recording for you?

12:39:33PM 4 MR. OSTLER: Objection. Asked and
12:39:34PM 5 answered.

12:39:34PM 6 THE WITNESS: Not that I recall.

12:39:49PM 7 Q. (By Mr. Burton) When Mr. Mumford was
12:39:51PM 8 suspended from this case for failure to pay the
12:39:55PM 9 \$35,000, did your dad express frustration to you that
12:40:01PM 10 Marcus had been suspended from the case?

12:40:07PM 11 A. Did my dad? No, I do not believe so.

12:40:10PM 12 Q. Did Mike?

12:40:11PM 13 A. Yes.

12:40:12PM 14 Q. What did he say specifically?

12:40:16PM 15 MR. OSTLER: And I would object on
12:40:18PM 16 attorney-client privilege.

12:40:19PM 17 To the extent you can answer without
12:40:20PM 18 disclosing any attorney-client communications, go
12:40:24PM 19 ahead.

12:40:24PM 20 THE WITNESS: I think specifically he said
12:40:29PM 21 something to the -- something to the tune of that it
12:40:40PM 22 was a technical -- a technicality that Marcus got
12:40:47PM 23 caught in because of his disfavor with the judge.

12:40:51PM 24 Q. (By Mr. Burton) Are you aware that the
12:40:52PM 25 court ordered that the payment come specifically from

12:40:55PM 1

Marcus?

12:40:55PM 2

A. No.

12:40:57PM 3

Q. Today's the first time I've heard

12:41:00PM 4

Mr. Green paid the sanction for Marcus.

12:41:02PM 5

Are you aware of language in the order

12:41:04PM 6

that says that Marcus had to be the one to pay the

12:41:07PM 7

money?

12:41:07PM 8

A. No.

12:41:07PM 9

MR. OSTLER: Objection. Misstates facts,

12:41:09PM 10

misstates prior testimony.

12:41:19PM 11

Q. (By Mr. Burton) Are you aware that early

12:41:20PM 12

on, right after Standard purchased Sprinkler World,

12:41:24PM 13

the Greens demanded \$5 million from Standard to

12:41:28PM 14

settle this case?

12:41:28PM 15

Are you aware of that?

12:41:29PM 16

A. I'm not aware of that.

12:41:56PM 17

MR. BURTON: Okay. I have no further

12:41:58PM 18

questions. Thanks.

12:42:07PM 19

(Deposition concluded at 12:42 p.m.)

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